

To: **Enforcement Division Staff**

From: Heather L. Quiros, Chief, Enforcement Division **HLQ**

Date: February 27, 2026

Subject: Increase in Maximum Penalties Based on 2025 California Consumer Price Index

Effective immediately, when settling violations that occurred on or after the date of this memorandum, California Air Resources Board (CARB) staff need to reference the updated maximum penalties listed in the tables on page 2 of this memorandum. Prior memos should be consulted for violations that occurred before the date of this memo.

The California Legislature enacted changes to State law¹ increasing certain maximum penalties from the levels established in the mid-1970s. The Legislature also established that those maximum penalties be adjusted annually based on changes in the California Consumer Price Index (California CPI).

The California CPI for 2025, as reported by the California Department of Industrial Relations (DIR) on February 17, 2025, is **352.508**.² This reflects a cumulative increase of:

- **34.1%** since January 1, 2017, when changes to HSC §§ 43016, 43154, 43211, and 43212, became effective. The maximum penalties for specified **vehicular source violations** in Table 1 reflect that increase.
- **29.4%** since January 1, 2018, when HSC § 42411 became effective. The maximum penalties for **non-vehicular source violations** in Table 2 reflect that increase.

Maximum penalties are one factor CARB staff use when establishing penalties for air quality regulations enforced by CARB. As required by State law and described in CARB's Enforcement Policy, CARB staff should continue to consider all relevant factors when establishing penalties on a case-by-case basis.

¹ Assembly Bill (AB) 1685 (Gomez, 2016) revised HSC 43016, 43154, 43211, and 43212, establishing changes to maximum per-violation penalties for violations of vehicular air pollution control laws and regulations; AB 617 (Garcia, 2017) enacted similar changes applicable to violations of non-vehicular air pollution control laws and regulations codified in HSC 42400, et seq.

² DIR publishes the California CPI online at: <https://www.dir.ca.gov/OPRL/CAPriceIndex.htm>.

Table 1.

Maximum Penalties for **Vehicular** Source Violations Enforced by the California Air Resources Board Subject to Specified Health and Safety Code (HSC) Part 5 Penalty Provisions.

Penalty Statute (HSC §)	Maximum Penalty per Violation
43016(a)(1)	\$50,288 \$671
43154(a)(1)	\$50,288
43154(a)(2)	\$13,410
43211(a)	\$50,288
43211(b)	\$6,705
43212(a)(1)	\$50,288

Table 2.

Maximum Penalties for **Non-Vehicular** Source Violations Enforced by the California Air Resources Board Subject to Specified Health and Safety Code (HSC) Part 4 Penalty Provisions.

Penalty Statute (HSC §)	Maximum Penalty per Violation
42400(a)	\$6,470
42400(c)	\$19,410
42400.1(a)	\$32,350
42400.1(b)	\$129,400
42400.2(a)	\$51,760
42400.2(c)	\$323,500
42400.3(a)	\$97,050
42400.3(b)	\$161,750 \$647,000
42400.3(c)	\$323,500 \$1,294,000
42400.3.5(a)	\$12,940
42400.3.5(b)	\$45,290
42400.4(a)	\$12,940
42400.4(b)	\$12,940
42401	\$32,350

Penalty Statute (HSC §)	Maximum Penalty per Violation
42402(a)	\$6,470
42402(b)(1)	\$12,940
42402(c)	\$19,410
42402.1(a)	\$32,350
42402.1(b)	\$129,400
42402.2(a)	\$51,760
42402.2(b)	\$323,500
42402.3(a)	\$97,050
42402.3(b)	\$161,750 \$647,000
42402.3(c)	\$323,500 \$1,294,000
42402.4	\$45,290
42402.5	\$648
42410(a)	\$12,940 \$129,400